IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION Nos. : 534 of 2000, 16674 of 2000 and 24869 of 2003.

W.P.NO.534 OF 2000

Between:

Sri Visakha GrameenaBank Schedule Castes & Schedule Tribes Employees Welfare Association,Visakhapatnam, rep. By its Secretary Mr.K.S.Prakasa Rao son of Nookaraju, aged 46 yrs, working as Branch Manager (Scale-II) in Visakha Grameena Bank, Lankalapalem Branch, Paravada Mandal,Visakhapatnam District.

..... PETITIONER

AND

Sri Visakha Grameena Bank, rep. By its Chairman Head Office, Srikakulam,A.P.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other writ, order or direction more in the nature of Mandamus directing the respondent to fill up the 16 posts of Officer Junior Management-I only with the eligible candidates belonging to Schedule Castes and Schedule Tribes working as Clerk-cum-Cashier and further direct the respondent to

complete the backlog vacancies.

Counsel for the Petitioner: MS.MARY DESAI

Counsel for the Respondent: MR.K.SRINIVASA MURTHY, STANDING COUNSEL

W. P. NO : 16674 of 2000

Between:

Sri Visakha Grameena Bank Scheduled Casts & Scheduled Tribes Employee Welfare Asocciation
Redg.No.214/83, Visakhapatnam.
Rep by President.

..... PETITIONER

AND

1 Sri Visakha Grameena Bank Rep. by Chairman,
Head Office: Srikakulam, Srikakulam Dist.

2 P.L. Narismham, S/o Late Sitaramamurthy,
Sri Visakha Grameena Bank, Visakhapatnam.

3 K. Prasada Rao, S/o Rama Rao
Sri Visakha Grameena Bank, Visakhapatnam.

4 A.V. Appa Rao, S/o Late Ramanaidu
Sri Visakha Grameena Bank, Visakhapatnam.

5 K. Kameswara Rao, S/o Late Ramganaikulu,
Sri Visakha Grameena Bank, Visakhapatnam.

6 G. Bapiraju. S/o Satyam,
Sri Visakha Grameena Bank, Visakhapatnam.

(2 to 6 are impleded as per the court order dt:11.9.00 in WPMP.No.21320/2000.)

7 C.V.J. Mohan Babji, S/o Late Venkatapathiraju,
Dist Manager Office, Sri Visakha Grameena Bank, Contoment, Vizianagaram.

8 C. Suryanaryana, S/o. Sivanaidu,
Dist Manager Office, Sri Visakha Grameena Bank, Contoment, Vizianagaram.

9 B. Kasi Viswanath , S/o Pydapapunaidu,
Dist Manager Office, Sri Visakha Grameena Bank, Dividi, Vizianagaram.

10 V. Angarakarao, S/o Appalaswamy,
Dist Manager Office, Sri Visakha Grameena Bank,
Contoment, Vizianagaram.

11 N. Viswanadaharaju S/o Late Sivaramamurthy,
Sri Visakha Grameena Bank, Gurla, Vizianagaram.

12 D. Seetharamaraju S/o Late Sivaramamurthy,
Srivisakha Grameena Bank, Garividi, Vizianagaram.

13 A.Chandramouleswararao, S/o Suryanarayana,
Srivisakha Grameena Bank, Vedullavalasa, Vizianagaram.

14 G. Narayanareddy, S/o Jogireddy,
Sri Visakha Grameena Bank, Gantyada, Vizianagaram.

15 P. Dharmarao, S/o suryanarayana rao,
Sri Visakha Grameena Bank, Bonangi, Gantyada Mandal,
Vizianagaram.

16 D. Nerajarao, S/o Late Narsimhamurthy,
Sri Visakha Grameena Bank, Konda Branch, Poosapatirega,
Vizianagaram.

17 N. Syam Kumar, S/o Sri Purushotham Sastry,
Sri Visakha Grameena Bank, Visakhapatnam.

18 R. Sanyasinaidu, S/o Appalanaidu,
Sri Visakha Grameena Bank, Narsipatnam Branch, 2-199
Saradanagar, Narsipatnam, Visakhapatnam.

19 A. Nageswararao, S/o Venkataramayya,
Srivisakha Grameena Bank, Anakapalli Branch, 7-137
Saradanagar, Anakapalli, Visakhapatnam.

20 Y.S.V. Prasad, S/o. Appalaraju,
Sri Visakha Grameena Bank, Visakhapatnam.

21 B. Satyaanath, S/o Late Venkalaxmanarao,
Sri Visakha Grameena Bank, Pedabayalu Visakhapatnam.

22 K. Simhachalam, S/o Late Kamesam,
Sri Visakha Grameena Bank, Visakhapatnam.

23 I. Prasad, S/o Late Subramanyam,
Sri Visakha Grameena Bank, Srikakulam.

24 K. Venkata Ramanamurthy, S/o Ganapathi rao,
Sri Visakha Grameena Bank, Allipuram, Visakhapatnam.

(7 to 24 are impleded as per the court order dt:29-12-00 in
WPMP.No.26951/2000.)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus; i) Declaring the method of selection for the post of MM-II from OJM-I by way of Written Test and interview prescribed by the respondent as illegal and un-constitutional; ii) Direct the respondent to fill up 32 posts of MM-II by the method of seniority-cum-Fitness and iii) Provide reservations 15% and 7.1/2% for SCs and STs respectively in the said appointments.

Counsel for the Petitioner: MS.MARY DESAI

Counsel for the Respondent No.1:MR.K.SRINIVASA MURTHY, STANDING COUNSEL

Counsel for the Respondent Nos.2 to 24:MR.A.SRINIVASA SARMA

W. P. NO : 24869 of 2003

Between:

Sri Visakha Grameena Bank, Head Office Srikakulam
S.C. & S.T. Employees Welfare Association, Srikakula,

..... PETITIONER

AND

The chairman, Head Office Sri Visakha Grameena Bank
Srikakulam Srikakulam District

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....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or direction more particularly one in nature of writ of mandamus, declaring the circular Staff No.25/03-04 dated 13-11-2003 issued by the respondent is illegal and unconstitutional to the extent of not providing rule of reservation the Schedule Castes and Schedule Tribes and not specifying the number of posts available for said classes and consequently direct the respondent to provide 4 posts of M.M.G.S.-II available to officers belonging to schedule caste in the cadre of M.M.G.S.-II.

Counsel for the Petitioner:MS.MARY DESAI

Counsel for the Respondent: MR.K.SRINIVASA MURTHY,STANDING COUNSEL

The Court made the following:

COMMON ORDER

Heard Ms.Mary Desai, learned counsel appearing on behalf of the petitioner and also Mr.K.Srinivasa Murthy, learned Standing Counsel appearing on behalf of the respondent and at their request, all the three Writ Petitions are taken up together for disposal.

It is represented that in all the three Writ Petitions, the question involved is squarely covered by the principles as already laid down by this Court in W.P.No.8958 of 2004, dated 07-03-2005, wherein this Court allowed the Writ Petition setting aside the Circular, dated 23-04-2004.

Following the same, these Writ Petitions are allowed. The respondent is directed to consider the representation filed by the petitioner as already ordered therein and also to come out fresh policy as directed. No costs.

08-04-2005

Hsd

That Rule Nisi has been made absolute as above.

Witness, the Hon'ble Sri Bilal Nazi, the Chief Justice, on this Friday, the Eighth day of April, 2005.

Asst. Registrar

To

1.Sri Visakha Grameena Bank, rep. By its
Chairman Head Office, Srikakulam,A.P.

2.2 CD copies.